



# City of Somerville Planning Department

## Adult-Use Marijuana

Licensing Commission  
February 11, 2019

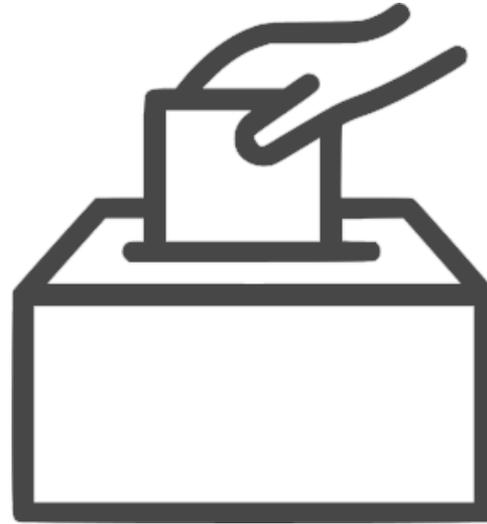
**This presentation and other documents will be available at:**  
[www.somervillema.gov/departments/planning-and-zoning/adult-marijuana](http://www.somervillema.gov/departments/planning-and-zoning/adult-marijuana)

# Agenda

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- State legislative overview
- Municipal legislative overview
- Municipal procedures

# 2016 Ballot Question



Adult-Use marijuana was approved in Massachusetts in a 2016 ballot question. The question was approved by 53.6% of voters statewide and by 73.6% of voters in Somerville.

# Adult Use Marijuana Regulations

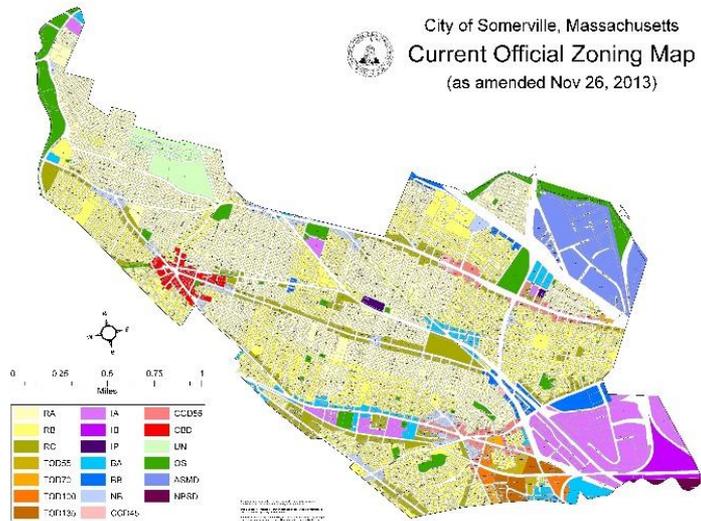
2016 Ballot Question

Legislative Review

New Regulations  
(March '18)

- Established the Massachusetts Cannabis Control Commission (CCC).
- Created a state licensure procedure through the CCC.
- Allowed the municipalities to have local control to a certain extent.
- Potential marijuana establishments are required to have a completed host agreement with the City.

# Local Control



Cities can regulate through local zoning, through local licensing, or both:

- Zoning allows the City regulate time, place and manner of an operation.
- Licensing allows the City to determine if the organization, their leadership, and operations are able to meet standards set by the City

# Municipal Legislation

## 1. Amendment to the Somerville Zoning Ordinance (SZO)

- Established types of adult use marijuana establishments (based on what the State created) and where they are allowed
- Specific regulations for marijuana retailers
  - Signage, parking, distance to schools,

## 2. Marijuana Overlay District

- Where retailers are allowed by special permit

## 3. Amendment to the Somerville Code of Ordinances (SCO)

- Established the licensing procedure
- Includes a priority structure

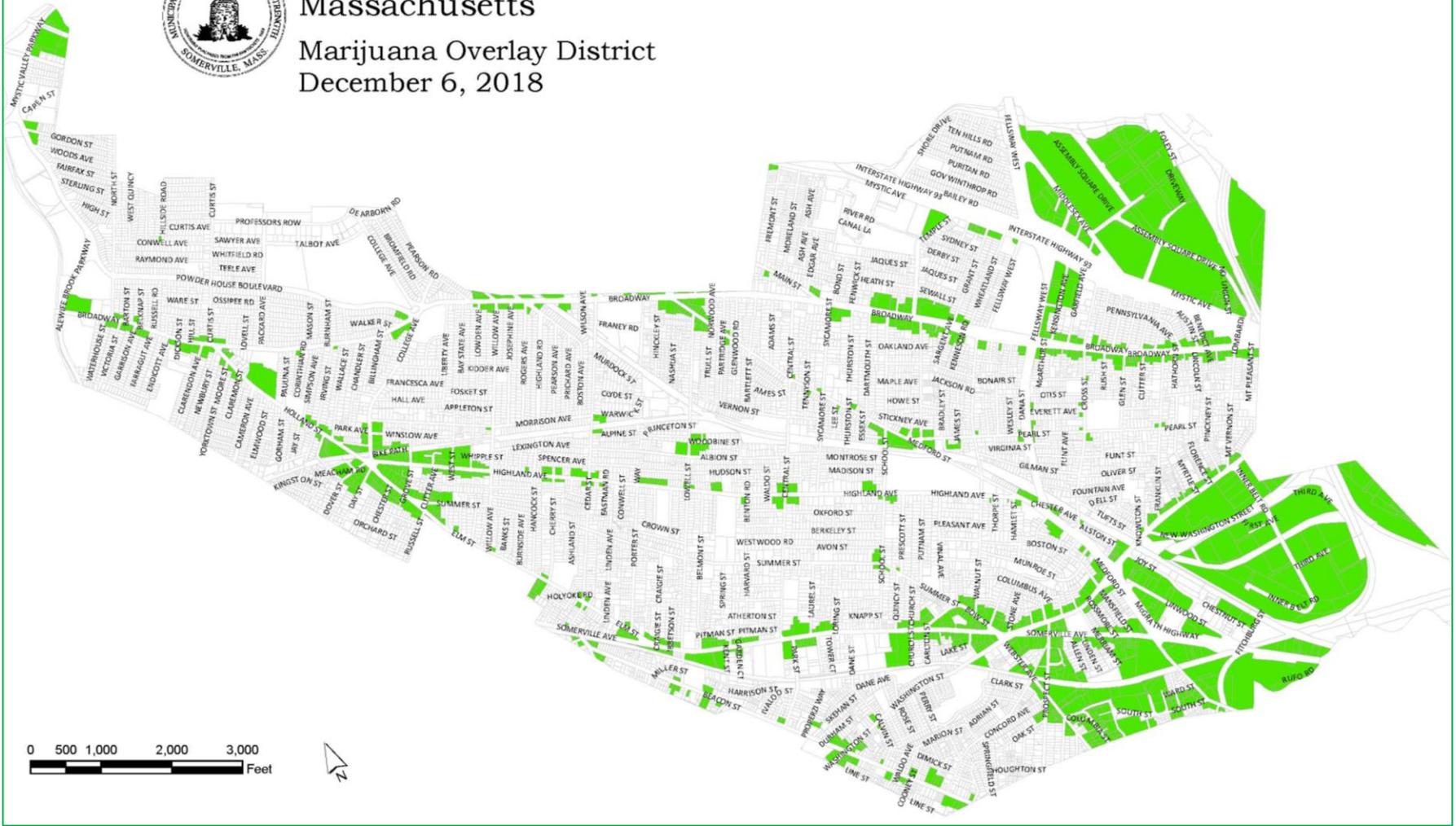
# Amendment to the Somerville Zoning Ordinance (SZO)

Type of Marijuana Establishment	Zoning Use	SZO Section
Independent Testing Laboratory	Laboratory engages in research, experimental, and testing facilities...but not the manufacture of finished products	7.11.12.10
Marijuana Cultivator	Commercial farm and/or greenhouse	7.11.9.10.1
Craft Marijuana Cooperative	Commercial farm and/or greenhouse	7.11.9.10.1
Marijuana Product Manufacturer	General industrial uses, including manufacturing, assembly, and processing...	7.11.14.B
Marijuana Research Facility	Office other than medical, home office, and an office, within a primary residence	7.11.7.1, 7.11.4.e, and 7.11.4.f
Marijuana Retailer	Special Permit	

# Marijuana Overlay District



City of Somerville  
Massachusetts  
Marijuana Overlay District  
December 6, 2018



# Licensing Ordinance

- Licensing Commission
- Applicable to all marijuana establishments (retail, manufacturing, testing labs, etc.)
- Priority Period
  - 12 licenses available for the first two years to only Group A or B applicants
- Application requirements mimic those of the CCC
- Evaluation criteria
- Inspection and Compliance checks by Health and Human Services in addition to those that will be done by the CCC

# Municipal Procedures



# Host Community Agreement

1. Submit an application (Available on Wednesday, February 13, 2019)
  - fee, site plans, elevations, and drafts of the CCC packets
  - Application will also serve as the Licensing Commission application
2. First deadline is April 5, 2019 at 12:00 PM
  - Electronic submittal only
  - Subsequent deadlines will be the Friday of every month thereafter
3. Applications are compiled for the MAC
4. Ranking criteria
  - Three categories: 1) location, 2) physical space, and 3) operations
  - The MAC may conduct interviews
5. Provide recommendations to the Mayor
6. Host Community Agreement signed (or not)



# Special Permit for Marijuana Retailer

- Only allowed by Special Permit
  - The Special Permit Granting Authority will be either the ZBA or PB (depending on the underlying zoning district)
  - Public hearing required for either board with notice given to property owners within 300 feet and published in the newspaper
- Distance between schools
  - 0 and 300 feet – prohibited
  - 301-500 feet – special finding
- Limited to 10,000 square feet
- Retail Sales/Rental or Retail and Service parking requirement applies
- Required to submit a traffic and parking study
- Focus on appropriate signage

# Priority License Applications

Group A	Group B
Economic Empowerment Applicants	Existing medical marijuana dispensary currently operating within the City of Somerville
Entities owned by Somerville residents	
Cooperatively owned entities	

- For the first two years there must be an equal or greater number of active licenses issued to Group A entities.



# Local License Application Requirements

## Drafts of the packets required by the CCC

### 1. Application of Intent packet

- a. who is involved in the business
- b. source of funding
- c. where the business is proposed to operate
- d. community host agreement

### 2. Background Check packet

- a. Information on any criminal or legal enforcement actions

### 3. Management and Operations Profile packet

- a. timeline for operation
- b. liability insurance
- c. certificate of good standing with Mass. DOR
- d. security, storage, transportation, inventory tracking, quality control procedures, employee training



# Local License Evaluation Criteria

## The Licensing Commission will consider:

- Compliance with State and Municipal laws
- Consistency to community values
- Support the local economy
- Hiring local residents and offering competitive wages/benefits
- Sustainable practices
- A commitment to help monitor health impacts on the neighborhood
- Criminal records of owners of the entities (except for marijuana-related infractions)





# City of Somerville Planning Department

**Thank you**

## **Questions, contact:**

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